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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)  
ABC-009

In re Application of: Steven T. Kirsch, David J. Murray

Application No.: 10/683,951

Filed: October 9, 2003

For: Method and System for Categorizing and Processing E-Mails

The owner\*, Abaca Technology Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 7,366,761 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 43,094



Signature

10/17/08

Date

David M. Schneck

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408-297-9733

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